

Journal

Office of Legislative Counsel

Monday - 18 February 1952

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1. After a discussion with Mr. Houston, it was determined to place the entire presentation burden for the Appropriations Subcommittee with Col. Hansen who is primarily responsible for the preparation of presentations for the Director.

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3. [redacted] informed me that Mr. Willard Kelly, Assistant Commissioner of the Immigration & Naturalization Service, had had a conference with Mr. Arens, Counsel to the Immigration Subcommittee of the Senate Judiciary Committee, regarding the reporting of "Ninth Proviso" (temporary entry) cases to the Congress, in accordance with Section 22 of the Internal Security

Act of 1950. This section requires a full report of such cases to the Congress, but we had reached an agreement with the Department of Justice that in cases in which the Ninth Proviso had been exercised for CIA the Attorney General would merely report that a certain number of aliens have been admitted under the Ninth Proviso but a report would not be made in full in the interest of national security.

Mr. Arens informed Mr. Kelly that the mere reporting of numbers in certain of these cases would not comply with the law and could not be permitted. On the other hand, Mr. Besterman, Counsel to the Immigration Subcommittee of the House Judiciary Committee, has stated that the reporting of numbers only in special cases would be satisfactory. I talked with Mr. Arens and reminded him that on 7 December 1950 he had given us informal clearance to request the Attorney General merely to report periodically that a certain number of aliens had been admitted under the Ninth Proviso where this proviso had been used at CIA's request. Mr. Arens informed me that he felt he could not waive the law in this regard, but finally agreed that the Attorney General could report numbers only where national security was involved, provided that subsequently I informed the Committee Chairman or Counsel orally as to the names and substance in these cases. From past experience, it is my opinion that this agreement will be satisfactory for the present. (cc DD/A and [redacted])

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4. Mr. Carey, [redacted] informed me that Congressman Phillips of California had been in correspondence with a CIA contact in Philadelphia, who was objecting to the contact and wished to know more concerning CIA. As a result, Congressman Phillips has written this gentleman certain classified details concerning CIA appropriations and made certain other comments which indicated that the Congressman did not understand the [redacted] function. Congressman Phillips has also repeated these comments to [redacted] Mr. Carey has mentioned this problem to Allen Dulles, in view of the fact that [redacted] wishes Carey to talk with Cong. Phillips. Mr. Dulles has no objection to such a meeting provided that the budget is not discussed.

5. Mr. Saunders and I met with George Harvey, Chief Clerk of the House Appropriations Committee, regarding CIA budget presentation for Fiscal Year 1953 (See memo to DD/A dated 19 Feb., Subject: House Appropriations Hearing on CIA Budget). In addition, we had a brief discussion as to the location of PSB funds.

6. Mr. Calhoun, of the office of Senator Flanders, called to inquire as to the steps taken by CIA where its personnel was killed in line of duty. I informed Mr. Calhoun that wherever possible these matters were handled by the Bureau of Employees Compensation, although there were certain cases where it was necessary to handle the matter ourselves for reasons of security. I stated that the whole problem was receiving serious review and consideration by CIA.

Monday - 18 February 1952

Page 2